



# Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

6 Baboosic Lake Road

Fax 603 424-1408

Town Hall - Lower level - East Wing

[www.merrimacknh.gov](http://www.merrimacknh.gov)

Planning - Zoning - Economic Development - Conservation

## **Memorandum**

**Date:** July 22, 2015

**To:** Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment

**From:** Jillian M. Harris, AICP, Planning & Zoning Administrator

**Subject:** **Vasilios Gakis (petitioner/owner)** – Variance requested from Section 3.02(A) of the Zoning Ordinance to permit the creation of a lot with less than 100,000 s.f. of contiguous upland area. The parcel is located at 17 Beaver Brook Drive in the R (Residential) and Aquifer Conservation Districts. Tax Map 6C, Lot 406. Case # 2015-25.

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The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

**Background:** The subject property is an approximately 78 acre parcel located at 17 Beaver Brook Drive. The property lies within the R (Residential) District and Aquifer Conservation District. The applicant seeks a variance under Section 3.02 to permit the creation of a lot (Lot A as shown on the supporting plans), with less than the required 100,000 sq. ft. of contiguous uplands. The proposal outlines that Lot A would contain approximately 5.2 acres of land including approximately 2.4 acres (104,500 sq. ft.) of upland. Due to the configuration of the proposed lot, the uplands are broken into two portions of approximately 1.9 acres (82,750 sq. ft.) and .5 acres (21,750 sq. ft.), respectively.

**Standard of Review:** It is the burden of the Petitioner to demonstrate that the five requirements for the granting of a Variance under Section 3.02 of the Zoning Ordinance have been met to permit the creation of a lot with less than 100,000 s.f. of contiguous upland area.

**Should the Board vote to grant the request for the Variance, Staff recommends that approval be conditioned upon the following:**

1. Applicant to obtain subdivision approval from the Merrimack Planning Board.

Ec: Vasilios Gakis, Applicant/Owner  
Gregory Michael, Esq.  
Carol Miner and Fred Kelley, Building Dept.  
Cc: File  
Correspondence